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Before The  
Federal Communications Commission  
Washington, D.C. 20554

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In the Matter of  
Proposal for Creation of Low Power FM  
(LPFM) Broadcast Service  
FCC RM-9242

FCC MAIL ROOM

Comments of Alan J. Wood

As a private citizen, I would like to make my own comments pertaining to the content of Notice Of Proposed Rulemaking, RM-9242 (9242). Comments that would, in my estimation further define and protect the 9242 modeled licensee of an LPFM radio station and the public interest by clarifying ownership definitions plus protect the LPFM station from outside management and marketing forces that would detract or omit from my goal herein of local ownership, local management, local programming and local public participation. When a Report and Order results in an LPFM class radio service, I will have a personal interest in applying for an LPFM construction permit and operating such station for my proposed neighborhood community in San Francisco, California.

General Comments In Response To RM-9242

As a ten year resident of San Francisco, California, I have seen many AM and FM broadcast radio stations change ownership here. As a result, I have had to, as a listener experience many radio station format changes too. Some format changes seem to better fit the socio-economic forces that dictate the public interest. Other format changes seem to have been an experiment in the homogenization of station content to economically streamline station operations while merely fitting the legal guidelines of serving the public interest. Recent phenomena of radio station consolidated ownership has been a business success story for owners of large number station groups, yet a hardship for new potential and existing entrants to broadcast ownership. Even non-commercial radio stations here in San Francisco have voiced their need to me, of the minimum required donation and underwriting dollar amounts that in turn dictate financial success, all from non-commercial program content to derive these necessary dollars. At the same time, I believe that various other socio-economic-political issues and their not so professionally fluent descriptions have eluded notice by many broadcasters. If the needs of broadcasters coffers exceed the publics definition of changing trends and local speculative issues, I would differ toward the 9242 LPFM solution. From the scope of the 9242 proposal, I have imagined an LPFM radio station with it's studio location within walking distance for all that hear it. And I have imagined an LPFM radio station that can afford to serve the listening publics interest because its business would be interested in the local listening public.

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Comments specific to RM-9242 Paragraphs

Paragraph 11

In general, I don't oppose paragraph 11's need to further define the net worth of a small business in order to restrict deep pocket ownership and transfer of license, but there is however a dollar figure cap that I would like to state and that a gross income cap of the licensee of not in excess of \$50,000 seems more appropriate. Paragraph 11 leaves open a question in my mind as to how many small business groups may have a controlling interest in any one or more stations. Instead, by defining a sole licensee and their stated income ceiling, other interests would not be the licensee. While it may seem too restrictive to the capable business person who would like to use LPFM for an appreciative gain in income, the way I understand the basis for the inception of LPFM is to respond to the community of service and program in a highly adaptive sense. As an alternative, presently known broadcast financial gain opportunities could be alternatively invested into presently available class A through C FM allotted/assigned FM channels and their respective markets by an applicant that would otherwise not be entitled to use an LPFM service for "market norm" financial gain.

Paragraph 22

This paragraph does not provide for the addition of 87.9 megahertz to the FM band. I feel that 87.9 is feasible for LPFM use because many city's and towns throughout the United States are well distanced from Channel 6 television service. By using third and higher adjacent spacing requirements, 87.9 LPFM could provide many communities with their first NCFM radio service.

Many new vehicle FM radios plus home component FM receivers have the ability to receive 87.9 and I don't want to see the continued omission of this valuable community resource. By changing TV and specifically channel 6 spectrum use rules, 87.9 becomes instantly viable to many communities and technically acceptable to existing services.

Paragraph 55 Through Paragraph 59

I propose that for the first five years of LPFM service, during the license renewal of an LPFM station the Commission act with prejudice in order to close loopholes by those who have learned "gaming the system" in order to hide wealth from operating an LPFM station and refuse renewal in those highly suspect situations.

While there is no guarantee that a dollar amount of income assures spontaneity or commitment to serving the community, an indexed figure up to the applicants yearly gross income while licensee of an LPFM station could have regulatory advantages. For example, if a licensee of an LPFM station experiences an increase of more than 25% of gross income or station revenue during the license renewal period, surplus dollar amounts above the 25% figure should go towards documented and acceptable capital improvements to the station and/or operating budgets and/or scalable regulatory fees. My scalable regulatory fee idea is one in which is defined as requiring the licensee of an LPFM station to base their regulatory and renewal filing fees on an indexed amount of personal gross income plus station gross revenue derived during the license period.

Finally, I request that the Commission refrain from processing any application that proposes an LMA (Local Marketing Agreement) and involving the operation of an LPFM station as an LMA station.

Paragraph 21

I Believe that the LPFM-2 proposal should carry a non-commercial commitment for it's use in order to prevent skewed ratings figures within its operating locality and to prevent anti-competitive broadcast scheduling.

Paragraph 20

I Believe that the LPFM-1 station should carry a "minimum hours per week of operation" requirement in order to predictably serve the public interest. The other two proposed classes should not have a minimum hours of operation requirement because of their spontaneous and limited capital resource nature.

Paragraphs 23, 25 and 26

I agree with the 9242 paragraphs 23, 25 and 26 proposing adequately receivable power levels. Otherwise, restricting LPFM (ERP) power levels to arbitrary or inadequate figures could prevent LPFM to properly and effectively serve a community. For example, using an arbitrarily low wattage of say, 1 watt to produce a demographically successful 70DBU contour within a highly populated area could prove unsuccessful in a rural setting that would require a higher power because of sparsely arranged population.

Paragraph 34

It could be debated that a possible technically feasible signal strength of, for example, 1.2mv at a distance of 6 meters could be a maximum level to re-qualify a new I.F. rejection figure rule for LPFM. But for the LPFM installation that properly installs a broadcast antenna with a highly acceptable low angle radiation field strength, this station should be allowed to adequately cover the proposed service area by a higher power range also within limits as to not cause unacceptable interference to existing services or receivers within the LPFM station antenna blanketing area.

Paragraph 57

I propose to add that a transfer of station license should not be allowed within 1 year of license grant or transfer and that the maximum dollar amount to transfer a license between parties should not exceed the cost to build and operate, in present day costs, the same station for 6 months. It is my intention to prevent undo advantages to those who would attempt to use present day market ranking values of radio station license transfers within the LPFM arena.

In Conclusion

As of this writing, I am in complete agreement with all other parts of the 9242 proposal and would assume any "fine-tuning" required by Commission staff in order to properly implement LPFM to the United States of America would be acceptable to me, as an LPFM station applicant.

Signed  4/14/98

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